



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 119144

Record No.: CB 119144

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125484

In Control: City Clerk

File Created: 10/27/2017

Final Action: 12/08/2017

**Title:** AN ORDINANCE relating to City employment; amending Sections 4.24.005, 4.24.010, 4.24.030, 4.24.035, and 4.24.040 of the Seattle Municipal Code (SMC); and repealing Section 4.24.050 of the SMC; authorizing a memorandum of understanding between The City of Seattle and City labor unions; and ratifying and confirming certain prior acts.

### Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att 1 - Memorandum of Understanding

Drafter: sarah.butler@seattle.gov

Filing Requirements/Dept Action:

### History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	11/07/2017	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	11/07/2017	sent for review	Council President's Office			
<b>Action Text:</b> The Council Bill (CB) was sent for review. to the Council President's Office <b>Notes:</b>							
1	Council President's Office	11/16/2017	sent for review	Civil Rights, Utilities, Economic Development, and Arts Committee			
<b>Action Text:</b> The Council Bill (CB) was sent for review. to the Civil Rights, Utilities, Economic Development, and Arts Committee							

**Notes:**

- 1 Full Council 11/27/2017 referred Civil Rights,  
Utilities,  
Economic  
Development, and  
Arts Committee

**Action Text:** The Council Bill (CB) was referred. to the Civil Rights, Utilities, Economic Development, and Arts Committee

**Notes:**

- 1 Civil Rights, Utilities, 11/28/2017 pass Pass  
Economic Development,  
and Arts Committee

**Action Text:** The Committee recommends that Full Council pass the Council Bill (CB).

**Notes:**

In Favor: 2 Chair Herbold, Member O'Brien

Opposed: 0

- 1 Full Council 12/04/2017 passed Pass

**Action Text:** The Council Bill (CB) was passed by the following vote, and the President signed the Bill:

**Notes:**

In Favor: 8 Councilmember Bagshaw, Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember Mosqueda, Councilmember O'Brien, Councilmember Sawant

Opposed: 0

- 1 City Clerk 12/06/2017 submitted for Mayor  
Mayor's signature

**Action Text:** The Council Bill (CB) was submitted for Mayor's signature. to the Mayor

**Notes:**

- 1 Mayor 12/08/2017 Signed

- 1 Mayor 12/08/2017 returned City Clerk

- 1 City Clerk 12/08/2017 attested by City Clerk

**Action Text:** The Ordinance (Ord) was attested by City Clerk.

**Notes:**

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**CITY OF SEATTLE**

**ORDINANCE** 125484

**COUNCIL BILL** 119144

AN ORDINANCE relating to City employment; amending Sections 4.24.005, 4.24.010, 4.24.030, 4.24.035, and 4.24.040 of the Seattle Municipal Code (SMC); and repealing Section 4.24.050 of the SMC; authorizing a memorandum of understanding between The City of Seattle and City labor unions; and ratifying and confirming certain prior acts.

WHEREAS, on November 8, 2016, voters of the State of Washington authorized Initiative 1433, mandating certain statewide labor standards, including minimum wage and sick leave, to be effective on January 1, 2018; and

WHEREAS, Seattle Municipal Code Chapter 14.16 contains labor standards relating to sick leave that also apply to City employment; and

WHEREAS, Seattle Municipal Code Chapter 4.24 relating to employee sick leave must be revised to fully incorporate requirements of Initiative 1433 and Seattle Municipal Code Chapter 14.16; and

WHEREAS, the City entered into negotiations with employee labor unions and came to an agreement on implementing the new paid leave standards; and

WHEREAS, Section 4.24.050 of the Seattle Municipal Code, on the subject of sick leave for temporary employees, is obsolete; and

WHEREAS, for administrative ease, the Seattle Department of Human Resources seeks to implement the new State-mandated sick leave benefits at the start date of a pay period, December 27, 2017; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Section 4.24.005 of the Seattle Municipal Code, last amended by Ordinance 121884, is amended as follows:

**4.24.005 Definitions ((-))**

Terms used in this ~~((chapter))~~ Chapter 4.24 shall have the meanings indicated ~~((therefore))~~ therefor in the Personnel Ordinance ~~((Seattle Municipal Code))~~ (Chapter 4.04) unless another meaning is clearly indicated below or from the context:

A. “Eligible family member” for purposes of sick leave usage means:

1. The employee’s child, regardless of age (i.e., the biological, adopted, foster, or step child of an employee or ~~((his or her))~~ the employee’s spouse/domestic partner, or a legal ward or a child for whom the employee or ~~((his or her))~~ the employee’s spouse/domestic partner stands in loco parentis).

2. The employee’s domestic partner, designated as such by the employee in an Affidavit of Domestic Partnership or otherwise as provided by ~~((Seattle Municipal Code))~~ Section 4.30.010.

3. The grandparent of an employee or ~~((his or her))~~ the employee’s spouse/domestic partner (i.e., the parent of an employee’s birth, adoptive, foster, or step parent; or the parent of an employee’s spouse’s or domestic partner’s birth, adoptive, foster, or step parent).

4. The employee’s birth, adoptive, foster, or step parent; or an individual who stood in loco parentis to the employee when the employee was a child; or a birth, adoptive, foster, or step parent or individual who stood in loco parentis to the employee’s spouse or domestic partner when the spouse or domestic partner was a child.

5. The employee’s legally recognized spouse.

6. The employee’s sibling or the sibling of the employee’s spouse or domestic partner.

1                    7. The employee's grandchild or the grandchild of the employee's spouse or  
2 domestic partner.

3            B.        "Health care professional" means a person whose services are of a type for which  
4 compensation is paid under any City health care plan.

5            Section 2. Section 4.24.010 of the Seattle Municipal Code, last amended by Ordinance  
6 124003, is amended as follows:

7        **4.24.010 Computation of sick leave ((-))**

8            A.        Cumulative sick leave with pay computed at the rate of .046 hours for each hour  
9 on regular pay status as shown on the payroll, but not to exceed ((~~forty (40)~~)) 40 hours a week,  
10 and all benefits of this Subchapter I shall be granted to all City officers and employees over  
11 whom the legislative authority has jurisdiction in this respect, including those temporary workers  
12 who have qualified pursuant to ((~~Seattle Municipal Code Section 4.20.055(C)~~)) subsection  
13 4.20.055.C; provided, that members of the Police and Fire Departments who were members of  
14 the Washington State Law Enforcement Officers' and Fire Fighters' Retirement ("LEOFF")  
15 System as of or before September 30, 1977 ("LEOFF 1 members"), and those employees  
16 specifically excluded by provisions of salary ordinances, shall not be included; provided further,  
17 that persons who became members of the LEOFF System on or after October 1, 1977 ("LEOFF  
18 2 members"), and who are represented by the Fire Fighters' Union, the Police Officers' Guild, or  
19 an equivalent labor organization for labor negotiation purposes, shall receive whatever benefits  
20 of the City's sick leave program as are established in the labor contract between the City and  
21 such organization. Officers and employees shall accumulate sick leave credits from the date of  
22 entering City service and shall be entitled to sick leave with pay after ((~~thirty (30)~~)) 30 calendar  
23 days of employment.

1           B.       Cumulative sick leave with pay computed at the same rate ~~((of .033 hours for all~~  
2 ~~hours worked))~~ and with all benefits and conditions required by ~~((Ordinance 123698)) Chapter~~  
3 14.16 and other applicable laws such as RCW 49.46.210 shall be granted to all temporary  
4 employees not eligible for fringe benefits pursuant to ~~((Seattle Municipal Code subsection~~  
5 4.20.055(C)), ~~except that “work study” employees as defined by the administrative rules~~  
6 ~~promulgated by the Seattle Office of Civil Rights shall not be eligible for the sick leave benefit))~~  
7 subsection 4.20.055.C.

8           C.       1.       Members of the Police and Fire Department who are LEOFF 1 members  
9 will be provided a paid sick leave bank called “Dependent Care and Safe Leave” to use for  
10 dependent care and safe leave reasons as required by ~~((Ordinance 123698)) Chapter 14.16 and~~  
11 other applicable laws such as RCW 49.46.210. The City authorizes the use of such leave to care  
12 for an eligible family member of the LEOFF 1 member who has an illness, injury, or health care  
13 appointment requiring the absence of the LEOFF 1 member from work, or when such absence is  
14 recommended by a health care professional. The City also authorizes use of this paid leave for  
15 safe leave reasons as required under ~~((Ordinance 123698)) Chapter 14.16 and other applicable~~  
16 laws such as RCW 49.46.210. For purposes of this dependent care paid leave only, “eligible  
17 family member” has the same meaning as provided in ~~((Seattle Municipal Code 4.24.005(A)))~~  
18 subsection 4.24.005.A; and “health care professional” has the same meaning as provided in  
19 ~~((Seattle Municipal Code 4.24.005(B))) subsection 4.24.005.B~~. This leave may not be used for  
20 any other purpose.

21                   2.       Effective August 29, 2012, LEOFF 1 members shall have paid sick leave  
22 deposited into their Dependent Care and Safe Leave accounts so that the total amount of such  
23 leave received for 2012 is equal to 72 hours. Thereafter, at the beginning of each calendar year,

1 each full-time LEOFF 1 member will accrue an additional 72 hours of paid sick leave to be  
2 added to the existing hours in ~~((his/her))~~ the member's Dependent Care and Safe Leave bank.  
3 The annual accrual of paid sick leave hours for part-time LEOFF 1 members will be prorated.  
4 Unused hours will be carried over to the next calendar year. There is no cap or maximum limit  
5 on the number of hours a LEOFF 1 member may accumulate in ~~((his/her))~~ the member's bank.  
6 LEOFF 1 members who transfer to other City departments may convert ~~((a maximum of 72))~~ the  
7 Dependent Care and Safe Leave hours to traditional sick leave for use authorized under ~~((Seattle~~  
8 ~~Municipal Code Section))~~ this Chapter 4.24 to the new position in the accepting department in  
9 accordance with Chapter 14.16 and RCW.49.46.210. LEOFF 1 members may not donate  
10 Dependent Care and Safe Leave hours to other members or City employees. Dependent Care and  
11 Safe Leave hours may not be cashed out or paid off upon retirement or at any other time.

12 Section 3. Section 4.24.030 of the Seattle Municipal Code, last amended by Ordinance  
13 124003, is amended as follows:

14 **4.24.030 Change in position or department ~~((+))~~**

15 Change in position or transfer to another City department included in the sick leave plan shall not  
16 result in a loss of sick leave accumulated under this ~~((subchapter))~~ Subchapter I or as a Seattle  
17 Public Library employee. An officer or employee reinstated or re-employed in the same or  
18 another department included in this plan after termination of service, except after dismissal for  
19 cause, resignation, or quitting, shall be credited with all unused sick leave accumulated prior to  
20 such termination. An officer or employee reinstated or re-employed in the same or another  
21 department included in this plan after dismissal for cause, resignation, or quitting, shall ~~((be~~  
22 ~~credited with up to a maximum of 72 hours of unused sick leave accumulated prior to such~~  
23 ~~termination, but only if such employee is re-employed within seven months of his or her~~

1 ~~separation from City service))~~ have unused sick leave reinstated as required by Chapter 14.16  
2 and other applicable laws such as RCW 49.46.210.

3 Section 4. Section 4.24.035 of the Seattle Municipal Code, last amended by Ordinance  
4 124003, is amended as follows:

5 **4.24.035 Paid Sick Leave—Use ((:))**

6 A. ~~An ((officer's or employee's request for paid sick leave may be granted by the~~  
7 ~~appointing authority or a designated management representative when the officer or employee is~~  
8 ~~required to be absent from work because of))~~ officer or employee is authorized to use paid sick  
9 leave for the following reasons:

10 1. ~~((A personal illness, injury or medical disability incapacitating the officer~~  
11 ~~or employee for the performance of duty, or personal health care appointments))~~ An absence  
12 resulting from an employee's mental or physical illness, injury, or health condition; to  
13 accommodate the employee's need for medical diagnosis, care, treatment of a mental or physical  
14 illness, injury, or health condition, or preventive care; or as otherwise required by Chapter 14.16  
15 and other applicable laws such as RCW 49.46.210; or

16 2. ~~((An illness, injury, or health care appointment of an officer's or~~  
17 ~~employee's eligible family member as defined by SMC Section 4.24.005A, requiring the absence~~  
18 ~~of the officer or employee from work, or when such absence is recommended by a health care~~  
19 ~~professional.))~~ To allow the employee to provide care for a family member with a mental or  
20 physical illness, injury, or health condition; or care for a family member who needs preventative  
21 medical care, or as otherwise required by Chapter 14.16 and other applicable laws such as RCW  
22 49.46.210; or



1                   3.       When the employee or officer's place of business has been closed by order  
2 of a public official for any health-related reason, or when an employee's or officer's child's  
3 school or place of care has been closed for such reason, or as otherwise required by Chapter  
4 14.16 and other applicable laws such as RCW 49.46.210.

5                   4.       Absences that qualify for leave under the Domestic Violence Leave Act,  
6 chapter 49.76 RCW.

7           B.       An officer's or employee's request for paid sick leave may be granted by the  
8 appointing authority or a designated management representative when the officer or employee  
9 chooses to be absent from work for the:

10                   1.       Non-medical care of a newborn child of the officer or employee or ~~((his or~~  
11 ~~her))~~ the officer's or employee's spouse or domestic partner; or

12                   2.       Non-medical care of a dependent child placed with the officer or  
13 employee or ~~((his or her))~~ the officer's or employee's spouse or domestic partner for purposes of  
14 adoption, including any time away from work prior to or following placement of the child to  
15 satisfy legal or regulatory requirements for the adoption.

16           Paid sick leave used for the purposes contemplated by this subsection 4.24.035.B must  
17 end before the first anniversary of the child's birth or placement.

18           C.       An officer or employee may participate in City-sponsored blood drives as a non-  
19 compensated donor without deduction of pay or paid leave balances. Such participation will  
20 include the time required to travel from the work site to the blood drive location and return to the  
21 work site, and a reasonable recuperation period, but may not exceed three ~~((3))~~ hours per  
22 occurrence.

1           D.       1.       Officers and regularly appointed employees shall be eligible for up to five  
2       (~~((5))~~) workdays or (~~((forty-(40)))~~) 40 hours, whichever is less, of absence from their usual  
3       worksite without reduction in pay or use of paid leave to the extent their absence is medically  
4       necessary for the purpose of being a transplant donor, as that term is defined in this subsection.

5       “Transplant donor” means a regularly appointed employee or officer who:

6                   a.       Voluntarily donates (~~((his-or-her))~~) the officer’s or employee’s bone  
7       marrow, other tissue, or organ to a human recipient for whom that particular donation has been  
8       medically matched and determined to be uniquely suited or critical to a successful outcome in a  
9       medical procedure intended to save the recipient’s life;

10                  b.       Receives no compensation and has no ability to direct any  
11       compensation to any other person or entity for the officer’s or employee’s donation or  
12       participation as a donor;

13                  c.       Provides to (~~((his-or-her))~~) the officer’s or employee’s appointing  
14       authority reasonable advance written notice of (~~((his-or-her))~~) the officer’s or employee’s need to  
15       be absent from the usual worksite as well as the reason for and expected duration of the absence;

16                  d.       Provides written documentation satisfactory to (~~((his-or-her))~~) the  
17       officer’s or employee’s appointing authority from an accredited medical institution, organization,  
18       or individual of the need for the officer or employee to participate as a donor; and

19                  e.       Has not been a transplant donor under this subsection 4.24.035.D  
20       for a different medical procedure within the (~~((twelve-(12)))~~) 12 months immediately preceding  
21       the date when the absence under this subsection 4.24.035.D would commence.

22           2.       A transplant donor for whom an absence in excess of the time allowed in  
23       subsection (~~((D4))~~) 4.24.035.D.1 is documented as being medically necessary shall be eligible to

1 use any appropriate available leave balance or take unpaid leave in accordance with existing City  
2 ordinances and rules.

3 3. No absence is authorized under this subsection 4.24.035.D for tests or for  
4 other pre-donation appointments.

5 ~~((E. — An officer's or employee's request for paid sick leave may be granted by the~~  
6 ~~appointing authority or a designated management representative when the officer or employee is~~  
7 ~~required to be absent from work upon cancellation of his or her child's school, daycare, or other~~  
8 ~~childecare service or program due to public health reasons related to pandemic influenza. The~~  
9 ~~Mayor shall consult with the local Health Officer or the Washington State Secretary of Health~~  
10 ~~prior to implementing this provision. Sick leave used for such purpose shall only be authorized~~  
11 ~~for the duration of the cancellation, and for the employee to care for a child who is under the age~~  
12 ~~of eighteen and who is a foster, biological, adopted or step child of the employee or the~~  
13 ~~employee's spouse or domestic partner, or a legal ward or a child for whom the employee or his~~  
14 ~~or her spouse/domestic partner stands in loco parentis and whose school or daycare or childecare~~  
15 ~~service has been cancelled due to public health reasons related to pandemic influenza.~~

16 ~~F. — An officer's or employee's request for use of paid sick leave may be granted by~~  
17 ~~the appointing authority or a designated management representative when the officer or~~  
18 ~~employee is absent from work for the following reasons:~~

19 ~~1. — When the employee's place of business has been closed by order of a~~  
20 ~~public official to limit exposure to an infectious agent, biological toxin or hazardous material,~~

21 ~~2. — To accommodate the employee's need to care for a child whose school or~~  
22 ~~place of care has been closed by order of a public official for such a reason.~~

3. ~~For eligible reasons related to domestic violence, sexual assault, or stalking, as set out in RCW 49.76.030 as it exists on the effective date of this ordinance.))~~

Section 5. Section 4.24.040 of the Seattle Municipal Code, last amended by Ordinance 124567, is amended as follows:

**4.24.040 Sick leave reporting—Payment ((:))**

A. ~~((Compensation))~~ Paid sick leave for absence of an officer or employee from duty for any reason contemplated in Section 4.24.035 or other applicable laws shall be paid upon approval of such absentee's appointing authority or that authority's designee. In order to receive ~~((compensation for such absence))~~ paid sick leave, an officer or employee ~~((shall make himself or herself available for such investigation, medical or otherwise, as such appointing authority or the Seattle Human Resources Director deems appropriate))~~ may be required to provide verification that the officer's or employee's use of paid sick leave is for an authorized purpose, consistent with Chapter 14.16 and other applicable laws such as RCW 49.46.210. Such verification may not be required for absences of less than four consecutive days. ((Either such appointing authority or the Seattle Human Resources Director may require a supporting report of a health care professional from the officer or employee. Compensation for absences beyond four days shall be paid only after approval by such absentee's appointing authority or that authority's designee, of a request from the officer or employee supported by a report of the health care professional treating the officer or employee or an individual identified in subsection 4.24.035 A.2, or by a health care professional selected by the Seattle Human Resources Director. Upon request by the employing unit, an employee shall provide documentation verifying cancellation of his or her child's school, daycare, or other childcare service or program for sick leave use as authorized in subsection 4.24.035.E and subsection 4.24.035.F.2.))

1           B.       The requirements of providing supporting medical documentation from a health  
2 care professional set forth in ~~((SMC Section 4.24.040A))~~ subsection 4.24.040.A for payment of  
3 sick leave authorized under ~~((SMC Section 4.24.035A))~~ subsection 4.24.035.A to cover absences  
4 greater than four ~~((4))~~ days shall be waived by the Mayor on the advice of the local Health  
5 Officer for the duration of time that any schools, daycare programs, or other childcare services in  
6 King County are cancelled due to pandemic influenza.

7           ~~((C. — An appointing authority may require that a request for paid sick leave for to cover  
8 absences greater than four days for reasons set forth under Seattle Municipal Code 4.24.035(F)3  
9 be supported by verification that the employee or employee's family member is a victim of  
10 domestic violence, sexual assault, or stalking, and that the leave taken was for a reason eligible  
11 as set out in RCW 49.76.030 as it exists on the effective date of this ordinance\*. An employee  
12 may satisfy such request by providing documentation consistent with notification requirements  
13 as set out in RCW 49.76.040(4) as it exists on the effective date of this ordinance.))~~

14           Section 6. Section 4.24.050 of the Seattle Municipal Code, last amended by Ordinance  
15 124567, is repealed:

16 ~~**((4.24.050 Temporary employees**~~

17 ~~Employees on a temporary basis and not otherwise excluded who work on a definite and  
18 predetermined schedule over an extended period may receive sick leave compensation for  
19 scheduled work periods only, on the same basis as regular City employees. Determination as to  
20 an employee's eligibility under this provision shall be made by the Seattle Human Resources  
21 Director.))~~

22           Section 7. Sections 1 through 6 of this ordinance shall take effect on December 27, 2017.

1           Section 8. The Mayor is hereby authorized for and on behalf of the City to execute a  
2 Memorandum of Understanding between the City and City labor unions to amend existing  
3 collective bargaining agreements' paid sick leave provisions to make them consistent with the  
4 changes authorized in this ordinance. The Memorandum of Understanding is attached to this  
5 ordinance as Attachment 1: "Memorandum of Understanding by and between City of Seattle and  
6 City Unions."

7           Section 9. Any act consistent with the authority and taken prior to the effective date of  
8 this ordinance is ratified and confirmed.

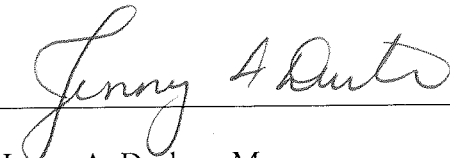
Section 10. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 4<sup>th</sup> day of December, 2017,  
and signed by me in open session in authentication of its passage this 4<sup>th</sup> day of  
December, 2017.



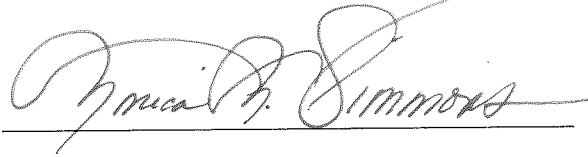
President \_\_\_\_\_ of the City Council

Approved by me this 8<sup>th</sup> day of December, 2017.



Jenny A. Durkan, Mayor

Filed by me this 8<sup>th</sup> day of December, 2017.



Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1: Memorandum of Understanding by and between City of Seattle and City Unions

## MEMORANDUM OF UNDERSTANDING

by and between

CITY OF SEATTLE

and

CITY UNIONS

This Memorandum of Understanding ("MOU") is entered into between the City of Seattle ("City") and the unions signatory to this MOU ("Unions"). Collectively, the City and the Unions shall be known as "the Parties."

WHEREAS, on November 8, 2016, voters of Washington State passed Initiative 1433 providing for labor standards, including mandatory sick leave, to be effective January 1, 2018; and

WHEREAS, Initiative 1433 was codified in Chapter RCW 49.46, adding new sections regarding paid sick leave at RCW 49.46.200 and 49.46.210; and

WHEREAS, WHEREAS, Seattle Municipal Code 14.16 contains labor standards relating to sick leave that also apply to City employment; and

WHEREAS, certain requirements of Initiative 1433 conflict with express provisions in the parties' collective bargaining agreements; and

WHEREAS, for administrative ease, the City seeks to implement the new State mandated sick leave benefits on the pay period begin date that is closest to the effective date required by State law; and

WHEREAS, the parties entered into negotiations and have agreed to the following:

I) The parties shall amend their collective bargaining agreements to incorporate the following changes to sick leave benefits, effective December 27, 2017:

A) An employee who is not eligible for disability leave under RCW 41.26 may request and the appointing authority or a designated management representative shall approve paid sick leave when the officer or employee is absent from work for the following reasons:

1. ~~Employee absence from a worksite that~~ When the employee's place of business has been closed by order of a public official for any health-related reason required by Seattle Municipal Code Chapter 14.16, RCW 49.46.210, and other applicable laws to limit exposure to an infectious agent, biological toxin or hazardous material, or



2. ~~Employee absence from work to care for a child whose~~ When an employee's child's school or place of care has been closed by order of a public official to limit exposure to an infectious agent, biological toxin or hazardous material for any health-related reason required by Seattle Municipal Code Chapter 14.16 and other applicable laws such as RCW 49.46.210.

3. ~~For e~~Eligible reasons related to domestic violence, sexual assault, or stalking, consistent with Seattle Municipal Code Chapter 14.16 and other applicable laws, as set out including RCW 49.76.

B) Upon request by the employing unit, an employee shall provide documentation verifying cancellation of his or her child's school, daycare, or other childcare service or program for sick leave use greater than four days for reasons authorized in Section I.A.2 of this MOU. An appointing authority may also require that a request for paid sick leave to cover absences greater than four days for reasons set forth under Section 1.A.3 of this MOU be supported by verification that the employee or employee's family member is a victim of domestic violence, sexual assault, or stalking, and that the leave taken was for a reason eligible as set out by Seattle Municipal Code Chapter 14.16 and other applicable laws, such as RCW 49.76.030. An employee may satisfy such request by providing documentation as set out in Seattle Municipal Code Chapter 14.16 and other applicable laws, such as RCW 49.76.040(4).

C) Rate of Pay for Sick Leave Used: An employee who uses paid sick leave shall be compensated at his or her straight-time the rate of pay he or she would have earned had he or she worked as scheduled, with the exception of overtime (see Article 14.5 G), as required by as Seattle Municipal Code 14.16, and other applicable laws, such as RCW 49.46.210. For example, an employee who misses a scheduled night shift associated with a graveyard premium pay would receive the premium for those hours missed due to sick leave. For employees who use paid sick leave for hours that would have been overtime if worked, the City will apply requirements of Seattle Municipal Code 14.16 and applicable laws such as RCW 49.46.210.

~~Rate of Pay for Sick Leave Used to Cover Missed Overtime:~~ An employee may use paid leave for scheduled mandatory overtime shifts missed due to eligible sick leave reasons. Payment for the missed shifts shall be at the straight-time rate of pay the employee would have earned had he or she worked. An employee may

Attachment 1

~~not use paid sick leave for missed voluntary overtime shifts, which is scheduled work that the employee elected or agreed to add to his or her schedule.~~

D) Regular or benefit eligible temporary employees who are reinstated or re-employed in the same or another department after any separation, including dismissal for cause, resignation or quitting, shall have unused sick leave reinstated as required by Seattle Municipal Code 14.16 and other applicable laws, such as RCW 49.46.210.

E) Cumulative sick leave with pay computed at the same rate of .033 hours for all hours worked and with all benefits and conditions required by Ordinance 123698 Seattle Municipal Code Chapter 14.16 and other applicable laws, such as RCW 49.46.210 shall be granted to all temporary employees not eligible for fringe benefits under SMC 4.20.055(C), ~~except that "work study" employees as defined by the administrative rules promulgated by the Seattle Office of Civil Rights shall not be eligible for the sick leave benefit.~~

F) LEOFF 1 employees

1. An employee who is eligible for disability leave under RCW 41.26 ("LEOFF 1" member) will be provided a paid sick leave bank called "Dependent Care and Safe Leave" to use for dependent care and safe leave reasons as authorized under ~~Ordinance 123698~~ Seattle Municipal Code Chapter 14.16 and other applicable laws such as RCW 49.46.210. The City authorizes the use of such leave to care for an eligible family member of the LEOFF 1 member who has an illness, injury, or health care appointment requiring the absence of the LEOFF 1 member from work, or when such absence is recommended by a health care professional. The City also authorizes use of this paid leave for safe leave reasons as required under ~~Ordinance 123698~~ Seattle Municipal Code Chapter 14.16 and other applicable laws such as RCW 49.46.210. For purposes of dependent care paid leave only, "eligible family member" has the same meaning as provided in Seattle Municipal Code 4.24.005(A); and "health care professional" has the same meaning as provided in Seattle Municipal Code 4.24.005(B). This leave may not be used for any other purpose.

2. Effective August 29, 2012, LEOFF 1 members shall have paid sick leave deposited into their Dependent Care and Safe Leave accounts so that the total amount of such leave received for 2012 is equal to 72 hours. Thereafter, at the beginning of each calendar year, each fulltime LEOFF 1 member will accrue an additional 72 hours of paid sick leave to be added to the existing hours in his/her Dependent Care and Safe Leave bank. The

annual accrual of paid sick leave hours for part-time LEOFF 1 members will be prorated. Unused hours will be carried over to the next calendar year. There is no cap or maximum limit on the number of hours a LEOFF 1 member may accumulate in his/her bank. LEOFF 1 members who transfer to other City departments may convert ~~a maximum of 72~~ the Dependent Care and Safe Leave hours to traditional sick leave for use authorized under Seattle Municipal Code Section 4.24 to the new position in the accepting department in accordance with Seattle Municipal Code 14.16 and RCW 49.46.210. LEOFF 1 members may not donate Dependent Care and Safe Leave hours to other members or City employees. Dependent Care and Safe Leave hours may not be cashed out or paid off upon retirement or at any other time.

G) Eligible family members for which a regularly appointed employee may use sick leave for medical care shall also include grandchild, or the grandchild of the employee's spouse or domestic partner.

II) Sick leave benefits provided in this MOU are pursuant to Seattle Municipal Code Chapter 14.16, RCW 49.46.200-.210, and other applicable laws and regulations. To the extent that collective bargaining agreements, City procedures, rules or guidelines conflict with this MOU, this MOU shall prevail.

III) Any dispute regarding the interpretation and/or application of this MOU shall be addressed pursuant to the terms of the applicable Union's grievance procedure, provided that if more than one Union has the same or similar dispute, the grievances shall be consolidated.

IV) Nothing in this MOU shall be interpreted to diminish existing benefits provided by collective bargaining agreements.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

Executed under the Authority  
of Ordinance No. \_\_\_\_\_

FOR THE CITY OF SEATTLE

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Tim Burgess

Mayor

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Susan L. Coskey

Seattle Human Resources Director

FOR THE CITY UNIONS

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Elizabeth Rockett, Maintenance Representative  
IU Painters and Allied Trades,  
District Council #5

---

Erik Van Rossum, Business Representative  
HERE, Local 8

---

Andrea Friedland, Business Representative  
IATSE, Local 15

---

Amy Bowles, Union Representative  
PTE, Local 17  
Professional, Technical, Senior Business,  
Senior Professional Administrative Support

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Ray Sugarman, Union Representative  
PTE, Local 17  
Professional, Technical, Senior Business,  
Senior Professional Administrative Support

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Shaun Van Eyk, Union Representative  
PTE, Local 17  
Professional, Technical, Senior Business,  
Senior Professional Administrative Support, &  
Probation Counselors

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Mark Watson, Union Representative  
WSCCCE, Council 2, Local 21, 21C & 21Z

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Audrey Eide, General Counsel  
WSCCCE, Council 2, Local 21-PA Assistant  
City Prosecutors

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Kenny Stuart, President  
Seattle Fire Fighters' Union  
IAFF, Local 27

---

Kurt Swanson, Business Representative  
UA Plumbers and Pipefitters, & Waterworks,  
Local 32

---

Janet Lewis, Business Representative  
IBEW, Local 46

---

Kal Rohde, Business Representative  
Sheet Metal Workers, Local 66

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Steve Kovac, Business Representative  
IBEW., Local 77  
SeaIT, CMEU Unit and Material Controllers

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Joe Simpson, Union Representative  
IBEW, Local 77  
City Light, Transportation & Power Marketers

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Brian Self, Business Representative  
Boilermakers Union, Local 104

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Tracey A. Thompson, Secretary-Treasurer  
Teamsters, Local 117; JCC and Community  
Service Officers & Evidence Warehouse

---

Mike Bolling, Business Representative  
IU Operating Engineers, Local 286

---

Paul Miller, Business Representative  
IAMAW, District Lodge 160, Local 289  
& 79

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Mary Keefe, Business Agent  
Teamsters, Local 763; JCC and Municipal  
Court

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Ian Gordon, Business Manager  
PSIE, Local 1239 and Local 1239 Security  
Officers (JCC); Local 1239 Recreation Unit

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Thomas Walsh, President  
Seattle Fire Chiefs' Association  
IAFF, Local 2898

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Peter Hart, Regional Director  
Inland Boatmen's Union of the Pacific

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Dave Quinn, Business Representative  
Pacific Northwest Regional Council of  
Carpenters

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Scott Fuquay, President  
Seattle Municipal Court Marshals' Guild  
IUPA, Local 600

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Michael Cunningham, President  
Seattle Police Dispatchers' Guild

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Nanette Toyoshima, President  
SPEOG, Seattle Parking Enforcement Officers'  
Guild

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Mike Edwards, President

Seattle Police Management Association

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Kevin Stuckey, President

Seattle Police Officers' Guild